

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

YURUB A. MOHAMED,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration,

Defendant.

Case No. C07-1552RSL

ORDER GRANTING MOTION
FOR ATTORNEY'S FEES

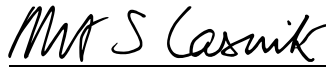
This matter comes before the Court on plaintiff's motion for an award of attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. On May 8, 2008, the Court reversed and remanded the decision of the Commissioner for further administrative proceedings. The Court found that the administrative law judge mischaracterized plaintiff's impairment.

The government concedes that its position was not substantially justified. There are no circumstances in the record that would make an award of fees in this case unjust. Although the Commissioner did not object to the imposition of fees, he objected to the hourly rate requested, \$170.00 per hour, as excessive. In response, plaintiff filed an amended application for fees that uses the hourly rate suggested by the government. The Court finds that the rate requested and

1 the amount of time expended are reasonable.

2 Accordingly, the Court GRANTS plaintiff's motion for an award of attorney's fees
3 pursuant to the EAJA (Dkt. #20), GRANTS her motion to amend her application for the same
4 (Dkt. #23), and awards plaintiff attorney's fees pursuant to the EAJA in the amount of
5 \$6,948.88. The Commissioner should direct the payment of that amount to plaintiff's counsel's
6 office.

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8 DATED this 12th day of June, 2008.

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11 Robert S. Lasnik
12 United States District Judge
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